

REMARKS

Claims 5 through 10 and 12 are pending in this Application. Applicants acknowledge, with appreciation, the Examiner's allowance of claims 5 through 8, and the Examiner's indication that claims 10 and 11 contain allowable subject matter. Accordingly, the only remaining issue pivots about the patentability of claims 9 and 12.

Claims 1 through 4, 11 and 13 have been cancelled and claims 5 and 9 amended. Care been exercised to avoid the introduction of new matter. Indeed, adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure, noting that the amendment to claim 5 is clerical and that claim 9 has been made dependent upon allowed claim 6. Applicants submit that the present Amendment does not generate any new matter issue.

Claims 1 through 4, 9, 12 and 13 were rejected under 35 U.S.C. § 102 for lack of novelty as evidenced by Bailey et al.

This rejection is traversed. Indeed, this rejection has been rendered moot by canceling claims 1 through 4 and 13, and making claim 9 dependent upon allowed claim 6, while claim 12 depends from claim 9.

Applicants, therefore, submit that the imposed rejection of claims 1 through 4, 9, 12 and 13 under 35 U.S.C. § 102 for lack of novelty as evidenced by Bailey et al. is not factually viable and, hence, solicit withdrawal thereof.

Claims 1 through 4, 9, 12 and 13 were rejected under 35 U.S.C. § 102 for lack of novelty as evidenced by Ohga et al.

This rejection is traversed. Indeed, this rejection has also been rendered moot by cancelled claims 1 through 4 and 13, and making claim 9 dependent upon allowed claim 6, with claim 12 dependent upon claim 9.

Applicants, therefore, submit that the imposed rejection of claims 1 through 4, 9, 12 and 13 under 35 U.S.C. § 102 for lack of novelty as evidenced by Ohga et al. is not factually viable and, hence, solicit withdrawal thereof.

Based upon the foregoing it should be apparent that the imposed rejections have been overcome, and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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